

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

RUSSELL E. OSBORN,	:	
Plaintiff,	:	Case No. 3:04cv437
vs.	:	District Judge Thomas M. Rose Magistrate Judge Sharon L. Ovington
DAYTON CITY POLICE DEPARTMENT, <i>et al.</i> ,	:	
Defendants.	:	
	:	

DECISION AND ENTRY

The Court has reviewed *de novo* the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #4), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby adopts said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on March 13, 2006 (Doc. #4) is **ADOPTED** in full.
2. Plaintiff's Complaint is **DISMISSED** without prejudice;
3. The case is terminated on the docket of this Court.

April 5, 2006

s/Thomas M. Rose

Thomas M. Rose
United States District Judge